

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:11-cv-0509

\$10,057.00, MORE OR LESS,
IN UNITED STATES CURRENCY,

Defendant.

(Amadeo Trecal Miles,
No pending federal charges)

VERIFIED COMPLAINT OF FORFEITURE

Comes now the United States of America, by and through its attorneys, R. Booth Goodwin II, United States Attorney for the Southern District of West Virginia, and Betty A. Pullin, Assistant United States Attorney for the Southern District of West Virginia, and respectfully states as follows:

NATURE OF THE ACTION

1. This is a civil action in rem brought on behalf of the United States of America, pursuant to 18 U.S.C. § 983(a), to enforce the provisions of 21 U.S.C. § 881(a)(6) for the forfeiture of a certain sum of currency constituting proceeds of, or which was used or intended to be used in any manner or part to commit or to facilitate the commission of, one or more violations of the Controlled Substances Act, 21 U.S.C. §§ 801 et seq.

THE DEFENDANT IN REM AND POTENTIAL INTERESTED PARTIES

2. The defendant property consists of the sum of \$10,057.00, more or less, in United States currency that was seized on or about March 29, 2011, by officers of the Transportation Security Administration (TSA) at Yeager Airport, Charleston, Kanawha County, West Virginia, during a routine inspection of airline passenger Amadeo Trecal Miles, whose last known address is 400 Napoleon Drive, DeLand, Florida, 32720. Yeager Airport, Charleston, Kanawha County, West Virginia, is located within the Southern District of West Virginia.

3. The above-described seized currency is presently in the custody of the United States Customs and Border Protection agency's Seized Assets Deposit Fund, reference Seizure No. 2011-1409-000013-01.

JURISDICTION AND VENUE

4. Plaintiff, United States of America, brings this action in rem in its own right to forfeit and condemn the defendant property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

5. Venue is proper in this district, pursuant to 28 U.S.C. 1355(b)(1)(A), since the acts or omissions giving rise to the forfeiture occurred in this district, and pursuant to 28 U.S.C. § 1395(b), because the property is located in this district.

6. Upon the filing of this verified complaint, the plaintiff requests that the Clerk of this Court issue an arrest warrant in rem pursuant to Supplemental Rule G(3)(b)(i), which the plaintiff will execute upon the seized currency pursuant to 28 U.S.C. § 1335(d) and Supplemental Rule G(3)(c).

BASIS FOR FORFEITURE

7. The facts giving rise to the forfeitability of the property are as follows:

(A) On March 29, 2011, TSA Officers at Yeager Airport, Charleston, Kanawha County, West Virginia, encountered Amadeo Trecal Miles and another male during a security check of passengers boarding an airplane and discovered large sums of currency in their possession. Miles had \$10,057, more or less, in United States currency in his pants pocket, bound with a rubber band, and the other male had in his possession the sum of \$9,800, more or less. The \$10,057 is the only amount of currency at issue in this civil forfeiture action.

(B) Agents from the Charleston office of the Department of Homeland Security, Immigration and Customs Enforcement (hereinafter "ICE"), responded and interviewed Miles at the Yeager Airport Police Department Office. Miles advised that he and the other male had traveled by train from Florida to West Virginia on or about March 23, 2011, to visit a friend named "Michelle." Miles was unable to provide Michelle's last name, address and phone

number, and the location where he stayed while in West Virginia. Miles stated that the train trip took 30 hours to complete and that he traveled with \$1,000. Miles further stated that he was currently unemployed.

(C) Miles claimed that the seized currency was winnings from his playing blackjack at the Mardi Gras Casino, which is located at #1 Greyhound Drive, Cross Lanes, Kanawha County, West Virginia.

(D) Casino records from the Mardi Gras Casino reveal that Miles had a "player's card" which tracks gambling activity at the Casino. Both Miles and his traveling companion were using the same card. The player's card revealed that the men were playing on March 27 and 28, 2011, and had combined total winnings of \$4,325.00.

(E) While being questioned at the Yeager Airport on March 29, 2011, Miles admitted to currently being on bond out of Florida for a cocaine trafficking charge. Records from the 7th Judicial Circuit Court for Volusia County, Florida, confirm that on January 13, 2010, a felony information was filed against Amadeo Trecal Miles, charging him with one count of trafficking between 28 to 200 grams of cocaine, possession of not more than 20 grams of cannabis and possession of drug paraphernalia. State of Florida v. Amadeo Trecal Miles, Case No. 2009-04596CFAWS. Following his plea

of nolo contendere to the cocaine charge, Miles was sentenced on June 8, 2011, to three years probation.

(F) TSA records showed that the airline tickets being used by Miles and the other male on March 29, 2011, for the one-way trip to Florida, were purchased by "Michelle Dreggors" with a West Virginia telephone number.

(G) On or about May 5, 2011, ICE investigators conducted interviews of Michelle Dreggors and her boyfriend, Danny Schleicher. Dreggors advised that she knew Miles from going to school with him in Florida. She further advised that on a trip she took to Florida in November 2010 to visit family, she saw Miles and he showed her prescription pills of Roxicodone 30mg and Roxicodone 15mg (also referred to herein as "Roxy") and asked if she knew anyone who needed work selling pills. Schleicher admitted to thereafter traveling to Florida a couple of times and buying a couple hundred Roxy 30mg pills from Miles. Dreggors and Schleicher both stated that at the end of March 2011, Miles and another male traveled from Florida to West Virginia to deliver Roxicodone pills to them. Schleicher stated that Miles was supposed to be traveling alone and bringing only 400 to 500 30mg Roxicodone pills. When Schleicher realized that Miles had 1,000 pills and his traveling companion had another 1,000, Schleicher initially told Miles that he could not sell that many pills but then agreed to attempt to sell the pills for Miles. Schleicher estimated he paid the men

between \$25,000 to \$30,000 for the pills and that he still owed Miles \$17,500.

(H) Due to Miles' admission that he came to West Virginia with only \$1,000 and that he was unemployed, and further due to records from the Casino establishing that the most Miles and his traveling companion won at the casino was a combined \$4,235, and further due to Schleicher's statement that he paid Miles and his partner between \$25,000 to \$30,000 for the 2,000 Roxicodone pills, it is believed that the defendant currency constitutes proceeds traceable to the sale and distribution of the Roxicodone pills in the Southern District of West Virginia.

WHEREFORE, the United States prays that process of warrant in rem issue for the arrest of the defendant currency; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendant property be forfeited to the United States for disposition according to law; and that the United States be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

R. BOOTH GOODWIN II
United States Attorney

By: s/Betty A. Pullin 
Betty A. Pullin, WV Bar Number: 5590
Attorney for the United States
300 Virginia Street, East, Room 4000
Charleston, West Virginia 25301
Telephone: (304) 345-2200
Fax: (304) 347-5104
Email: [bette.pullin@usdoj.gov](mailto:betty.pullin@usdoj.gov)

VERIFICATION

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, TO-WIT:

I, GARY E. HILTON, Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. § 1746, the following:

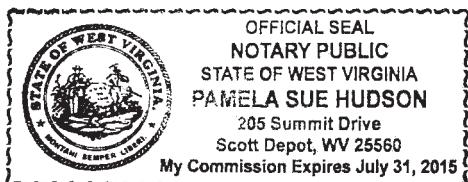
That the foregoing Complaint for Forfeiture in rem is based upon reports and information I have gathered and which have been provided to me by various law enforcement personnel, and that everything contained therein is true and correct to the best of my knowledge and belief, except where stated to be upon information and belief, in which case I believe it to be true.

Executed on July 27, 2011.



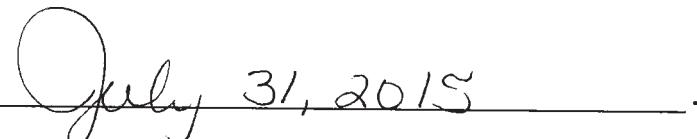
GARY E. HILTON

Taken, subscribed and sworn to before me this 27th day of July, 2011.



Pamela Sue Hudson
Notary Public

My commission expires on



July 31, 2015